

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2011-048459-001 DT

10/31/2012

COMMISSIONER R. JEFFREY WOODBURN

CLERK OF THE COURT

L. Franco

Deputy

STATE OF ARIZONA

HEATHER LEE KIRKA

v.

JORDANLEE FOSS (001)

DOB: 11/30/1992

HILARY G BERKO

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE - UNSUPERVISED PROBATION

1:52 p.m.

Courtroom 2C South Court Tower

State's Attorney: Karin Cather

Defendant's Attorney: Hilary Berko

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 2 As Amended, Possession of Drug Paraphernalia  
Class 6 Undesignated Felony  
A.R.S. § 13-3401, -3407, -3415, -3418, -610; 12-269; 13-701, -702, -801, -707, -802,  
901.01(D) and 13-901.01(H)(4)  
Date of Offense: 12/27/2011  
Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and placing defendant on  
Unsupervised Probation to be monitored by the Adult Probation Department (APD) in  
accordance with APD's Compliance Monitoring Standards:

Count 2 Probation Term: 18 months

To begin 10/31/2012.

Conditions of probation include the following:

Condition 2 - Not possess or control any stun guns, tasers, firearms, ammunition, deadly,  
or prohibited weapons as defined by A.R.S. § 13-3101.

Condition 5 - If deported or processed through voluntary departure, will not return to the  
United States illegally during the term of probation. If deported, all conditions, except Condition  
5, are suspended.

Condition 6 - Report to the APD within 72 hours of sentencing, absolute discharge from  
prison, release from incarceration, or residential treatment and continue to report as directed.  
Keep APD advised of any conditions completed. Comply with any written directive of the APD  
to enforce compliance with the conditions of probation.

Condition 7 - Notify APD within 10 days of any change of address and/or telephone  
number.

Condition 8 - Request and obtain permission of the APD prior to leaving the state.

Condition 11 - Actively participate and cooperate in the following program(s):

Substance Abuse Counseling

Condition 15: Restitution, Fines and Fees:

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PROBATION SERVICE FEE: Count 2 - \$65.00 per month, beginning 12/1/2012.

FINE: Count 2 - Total amount of \$1,380.00, which includes surcharges of 84%, payable \$35.00 per month beginning 12/1/2012.

Fine is to be paid to the Arizona Drug Enforcement Fund.

PROBATION SURCHARGE: Count 2 - \$20.00 payable on 12/1/2012.

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on 12/1/2012.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 2 - \$13.00 payable on 12/1/2012.

Investigative Agency :

Phoenix Police Department

All amounts payable through the Clerk of the Superior Court.

Condition 17: Complete a total of 40 hours of community restitution. Complete 8 hours per month. Complete these hours at a site approved by the APD.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Count 1.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

Defendant has waived the preparation of a presentence report.

1:55 p.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER R. JEFFREY WOODBURN  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)